

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

WENDY JOHNSON,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of  
Social Security,

Defendant.

CASE NO. C09-5125 RJB

ORDER ADOPTING REPORT  
AND RECOMMENDATION  
DISMISSING PLAINTIFF'S  
CLAIM FOR DISABILITY  
BENEFITS

The Magistrate Judge recommends that this action for judicial review of the denial of Plaintiff's claim for social security disability benefits be dismissed on the ground that Plaintiff failed to file her appeal within the time period prescribed by 42 U.S.C. § 405(g). Plaintiff has not filed an objection to the Report and Recommendation.

The Court, having reviewed Plaintiff's complaint, the Report and Recommendation of Judge J. Richard Creatura, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendant's motion to dismiss is GRANTED, Plaintiff's claims and causes of action are DISMISSED; and
- (3) The Clerk is directed to send copies of this Order to counsel of record.

DATED this 29th day of March, 2010.

A handwritten signature in black ink, reading "Robert J. Bryan", written over a horizontal line.

ROBERT J. BRYAN  
United States District Judge